

Exhibit 5

From: [Calabrese, Christine](#)
To: [Greg Wolfe](#); [Tibor Nagy](#); [David Moosmann](#); [Matt Gauthier](#); [Harper, Ashley](#); [Davidson, Tad](#); [Bell, Brandon](#); [Rahul Srinivas](#)
Cc: [Lender, David](#); [Perez, Alfredo](#); [Tsekerides, Theodore](#); [Carlson, Clifford](#)
Subject: 23-03252_Adversary Proceeding Complaint (Core v. Sphere and Gryphon)
Date: Tuesday, November 21, 2023 1:24:22 PM
Attachments: [23-03252_Adversary Proceeding Complaint \(Core v. Sphere and Gryphon\).pdf](#)

Counsel,

The Debtors just filed the attached complaint against Sphere and Gryphon to bring all of the issues in one proceeding for complete resolution. Please let us know if you will agree to accept service.

This filing obviously impacts the schedule set in the Sphere contested matter, as discovery (including depositions) and the trial—on calendar for January 30 to February 1—will need to be adjourned and rescheduled. To be clear, none of the pending depositions will go forward and we can discuss with you and Gryphon’s counsel an appropriate date for a scheduling conference with the Court to set out a schedule for the adversary proceeding.

With respect to the letter that we received from Mr. Nagy on Friday regarding settlement and requesting that the Debtors share the letter with their constituents no later than today, we do not intend on sending that self-serving letter or disclosing the parties’ settlement discussions that were governed by Rule 408 of the Federal Rules of Evidence. Sphere has consistently taken the unreasonable position that it is 100% right and Core is 100% wrong in connection with this dispute and has ignored the facts, the limitations provisions in the agreements and Core’s damages resulting from Gryphon’s and/or Sphere’s breach (assuming Sphere can even establish that it has any rights under the relevant agreements). While the Debtors remain open to a reasonable settlement, it will need to resolve all issues between the Debtors, Gryphon and Sphere and will need to account for the substantial damages the Debtors have sustained.

Regards,



Christine A. Calabrese
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Pronouns: She/her/hers

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